

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6379 of 2020

- Vakil Yadav S/o Jasdev Yadav Aged About 42 Years R/o Amlai, Police Station - Amlai, District - Shahdol (M.P.), District : Shahdol, Madhya Pradesh

---- Applicant

Versus

- State Of Chhattisgarh Through - Station House Officer, Police Station, Ratanpur, District - Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Respondent

For Applicant	: Ms. Nupur Sonkar, Advocate on behalf of Shri Goutam Khetrapal, Advocate
For Respondent/State	: Shri Gurudev I. Sharan, G.A.

Hon'ble Justice Shri Rajendra Chandra Singh Samant

Order on Board

23/12/2020

1. Heard on the application filed under Section 439 of the Cr.P.C.

This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 13.08.2020 in connection with Crime No.462/2020 registered at P.S.- Ratanpur, District Bilaspur, Chhattisgarh for the offence under Section 34(2), 59(A) of the CG. Excise Act.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in custody since 13.08.2020. Charge sheet has been filed after completion of investigation. Hence, it is prayed that the applicant may be released on regular bail.

3. Learned counsel for the State/non-applicant opposes the

application and submission. It is submitted that in total 261 bulk liter illicit foreign liquor has been seized from the possession of the accused. He further submits that the applicant is a resident of Madhya Pradesh and there is one another case registered against him. Hence, he is not entitled for grant of bail.

4. Heard learned counsel for both the parties and perused the case diary.
5. Prosecution case is that the seizure of 261 liter foreign liquor valued of Rs. 1,74,000/- was seized from the possession of the applicant and the said liquor was being transported by him in this case.
6. Considering on the submissions made and the contents of the case diary, detention of the applicant till conclusion of the trial would not serve any purpose. Hence, for these reasons, I am of the view that the application deserves to be allowed.
7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.
8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge